

**MINUTES OF MEETING
HAWTHORNE MILL NORTH
COMMUNITY DEVELOPMENT DISTRICT**

The Board of Supervisors of the Hawthorne Mill North Community Development District held Public Hearings and a Regular Meeting on August 14, 2024 at 9:30 a.m., at the Ramada by Wyndham Davenport Orlando South, 43824 Highway 27, Davenport, Florida 33837-6808.

Present were:

Mary Moulton
John (JC) Nowotny
Shelley Kaercher

Vice Chair
Assistant Secretary
Assistant Secretary

Also present:

Cindy Cerbone
Andrew Kantarzhi (via telephone)
Jere Earlywine (via telephone)
Christopher Allen (via telephone)

District Manager
Wrathell, Hunt and Associates, LLC (WHA)
District Counsel
District Engineer

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Ms. Cerbone called the meeting to order at 9:59 a.m.

Supervisors Moulton, Kaercher and Nowotny were present. Supervisors Tyree and Van Auker were not present.

SECOND ORDER OF BUSINESS

Public Comments

No members of the public spoke.

THIRD ORDER OF BUSINESS

Consideration of Resolution 2024-13, Ratifying, Confirming, and Approving the Sale of the Hawthorne Mill North Community Development District Capital Improvement Revenue Bonds, Series 2024; Ratifying, Confirming, and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the Sale and Closing of the Bonds; Determining

**Such Actions as Being in Accordance With
the Authorization Granted by the Board;
Providing a Severability Clause; and
Providing an Effective Date**

Ms. Cerbone presented Resolution 2024-13 and read the title.

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, Resolution 2024-13, Ratifying, Confirming, and Approving the Sale of the Hawthorne Mill North Community Development District Capital Improvement Revenue Bonds, Series 2024; Ratifying, Confirming, and Approving the Actions of the Chairman, Vice Chairman, Treasurer, Secretary, Assistant Secretaries, and All District Staff Regarding the Sale and Closing of the Bonds; Determining Such Actions as Being in Accordance With the Authorization Granted by the Board; Providing a Severability Clause; and Providing an Effective Date, was adopted.

FOURTH ORDER OF BUSINESS

**Public Hearing on Adoption of Fiscal Year
2024/2025 Budget**

A. Proof/Affidavit of Publication

The affidavit of publication was included for informational purposes.

B. Consideration of Resolution 2024-14, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date

Ms. Cerbone presented Resolution 2024-14. She reviewed the proposed Fiscal Year 2025 budget, highlighting increases, decreases and adjustments, compared to the Fiscal Year 2024 budget, and explained the reasons for any changes.

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny with all in favor, the Public Hearing was closed.

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, Resolution 2024-14, Relating to the Annual Appropriations and Adopting the Budget(s) for the Fiscal Year Beginning October 1, 2024, and Ending September 30, 2025; Authorizing Budget Amendments; and Providing an Effective Date, was adopted.

FIFTH ORDER OF BUSINESS

Public Hearing to Hear Comments and Objections on the Imposition of Maintenance and Operation Assessments to Fund the Budget for Fiscal Year 2024/2025, Pursuant to Florida Law

- A. Proof/Affidavit of Publication**
- B. Mailed Notice(s) to Property Owners**

These items were included for informational purposes.

- C. Consideration of Resolution 2024-15, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date**

Ms. Cerbone presented Resolution 2024-15.

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the Public Hearing was opened.

No affected property owners or members of the public spoke.

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the Public Hearing was closed.

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, Resolution 2024-15, Making a Determination of Benefit and Imposing Special Assessments for Fiscal Year 2024/2025; Providing for the Collection and Enforcement of Special Assessments, Including but Not Limited to Penalties and Interest Thereon; Certifying an Assessment Roll; Providing for Amendments to the Assessment Roll; Providing a Severability Clause; and Providing an Effective Date, was adopted.

SIXTH ORDER OF BUSINESS**Consideration of Deficit Funding Agreement**

Ms. Cerbone stated, the Harmony on Lake Eloise CDD Board considered this and other irrigation related items at its meeting. Deficit Funding Agreement, agenda item 11; the easement agreement for irrigation systems improvements, agenda item 12; the bill of sale for irrigation system improvements and agenda item 13; the Insight Irrigation LLC Agreement for irrigation services. She asked the Board to handle the Sixth, Eleventh, Twelfth and Thirteenth Orders of Business similarly, first via a motion to approve the Eleventh, Twelfth and Thirteenth Orders of Business and then a motion to approve this Deficit Funding Agreement between the CDD and Forestar (USA) Real Estate Group Inc.

Ms. Cerbone stated it was previously agreed that the Developer will assist in funding the irrigation system only if there is a budget shortfall for this expense.

- **Consideration of Easement Agreement for Irrigation System Improvements**
- **Consideration of Bill of Sale for Irrigation System Improvements**
- **Consideration of Insight Irrigation LLC Agreement for Irrigation Monitoring Services Agreement**

These items, previously the Eleventh, Twelfth and Thirteenth Orders of Business, respectively, were presented out of order.

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the Easement Agreement for Irrigation System Improvements, the Bill of Sale for Irrigation System Improvements and the Insight Irrigation LLC Agreement for Irrigation Monitoring Services Agreement, were approved.

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the Deficit Funding Agreement, was approved.

SEVENTH ORDER OF BUSINESS**Presentation of Audited Financial Report for Fiscal Year Ended September 30, 2023, Prepared by Grau & Associates**

Ms. Cerbone presented the Audited Financial Report for the Fiscal Year Ended September 30, 2023 and noted the pertinent information. There were no findings,

recommendations, deficiencies on internal control or instances of non-compliance; it was a clean audit.

A. Consideration of Resolution 2024-16, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, Resolution 2024-16, Hereby Accepting the Audited Financial Report for the Fiscal Year Ended September 30, 2023, was adopted.

EIGHTH ORDER OF BUSINESS

Consideration/Ratification: Easement Agreement [Hawthorne Phase 2A & 2B]

Mr. Earlywine presented the Easement Agreement for Hawthorne Phase 2A & 2B. He stated this is a standard document and recommended approval/ratification.

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, the Easement Agreement [Hawthorne Phase 2A & 2B], was approved and ratified.

NINTH ORDER OF BUSINESS

Consideration of Goals and Objectives Reporting [HB7013 - Special Districts Performance Measures and Standards Reporting]

Ms. Cerbone presented the Memorandum explaining the new requirement for special districts to develop goals and objectives annually and develop performance measures and standards to assess the achievement of the goals and objectives. Community Communication and Engagement, Infrastructure and Facilities Maintenance, and Financial Transparency and Accountability will be the key categories to focus on for Fiscal Year 2025. She presented the Performance Measures/Standards & Annual Reporting Form developed for the CDD, which explains how the CDD will meet the goals.

On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor, the Goals and Objectives and the Performance Measures/Standards & Annual Reporting Form, were approved.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2024-05,
Designating the Location of the Local
District Records Office and Providing an
Effective Date**

This item was deferred.

ELEVENTH ORDER OF BUSINESS

**Consideration of Easement Agreement for
Irrigation System Improvements**

This item was addressed during the Sixth Order of Business.

TWELFTH ORDER OF BUSINESS

**Consideration of Bill of Sale for Irrigation
System Improvements**

This item was addressed during the Sixth Order of Business.

THIRTEENTH ORDER OF BUSINESS

**Consideration of Insight Irrigation LLC
Agreement for Irrigation Monitoring
Services Agreement**

This item was addressed during the Sixth Order of Business.

FOURTEENTH ORDER OF BUSINESS

**Ratification of Disclosure Technology
Services, LLC EMMA® Filing Assistance
Software as a Service License Agreement**

**On MOTION by Ms. Kaercher and seconded by Mr. Nowotny, with all in favor,
the Disclosure Technology Services, LLC EMMA® Filing Assistance Software as a
Service License Agreement, was ratified.**

FIFTEENTH ORDER OF BUSINESS

**Acceptance of Unaudited Financial
Statements as of June 30, 2024**

**On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor,
the Unaudited Financial Statements as of June 30, 2024, were accepted.**

SIXTEENTH ORDER OF BUSINESS

**Approval of June 12, 2024 Regular Meeting
Minutes**

Ms. Cerbone presented the June 12, 2024 Regular Meeting Minutes.

The following change was made:

Line 31: Delete “Mr. Fife” and insert “Mr. Van Auker”

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, the June 12, 2024 Regular Meeting Minutes, as amended, were approved.

SEVENTEENTH ORDER OF BUSINESS**Staff Reports****A. District Counsel: Kutak Rock LLP**

Regarding the bonds, Mr. Earlywine stated the CDD issued its bonds in the summer, Fox Branch Ranch CDD will issue bonds in December 2024 and Harmony on Lake Eloise CDD will issue bonds in January 2025.

B. District Engineer: Dewberry Engineers, Inc.

There was no report.

C. Field Operations: Leland Management, Inc.

Ms. Cerbone stated the title of this item will be changed to Atmos.

D. District Manager: Wrathell, Hunt and Associates, LLC

- **NEXT MEETING DATE: September 11 2024 at 9:30 AM, immediately following the adjournment of the Fox Branch Ranch CDD meeting and Harmony on Lake Eloise CDD meeting, scheduled to commence at 9:30 AM, respectively**
 - **QUORUM CHECK**

The September 11, 2024 meeting will likely be canceled.

EIGHTEENTH ORDER OF BUSINESS**Board Members' Comments/Requests**

There were no Board Members' comments or requests.

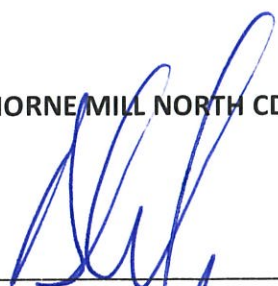
NINETEENTH ORDER OF BUSINESS**Public Comments**

No members of the public spoke.

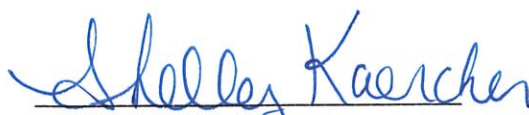
TWENTIETH ORDER OF BUSINESS**Adjournment**

On MOTION by Ms. Kaercher and seconded by Ms. Moulton, with all in favor, the meeting adjourned at 10:12 a.m.

HAWTHORNE MILL NORTH CDD


Secretary/Assistant Secretary

August 14, 2024


Chair/Vice Chair